

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
(Not for submission under 37 CFR 1.99)

Application Number	10567199
Filing Date	2006-08-14
First Named Inventor	Augusto Brazzini
Art Unit	3763
Examiner Name	Unassigned
Attorney Docket Number	EXPL-004

**U.S.PATENTS**

Examiner Initial*	Cite No	Patent Number	Kind Code <sup>†</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
1	0233475			1880-10-19	Cook et al.	
2	1461524			1923-07-10	Goddard	
3	3571864			1971-03-23	Emile et al.	
4	3664435			1972-05-23	Klessig	
5	4060089			1977-11-29	Noiles	
6	4328805			1982-05-11	Akopov et al.	
7	4416287			1983-11-22	Garten et al	
8	4458681			1984-07-10	Hophins	

Receipt date: 11/17/2010

Application Number	10567199	10567199 - GAU: 3734
Filing Date	2006-08-14	
First Named Inventor	Augusto Brazzini	
Art Unit	3763	
Examiner Name	Unassigned	
Attorney Docket Number	EXPL-004	

9	4485805	1984-12-04	Foster, Jr et al.	
10	4558699	1985-12-17	Bashour	
11	4592339	1986-06-03	Kuzmak et al.	
12	4669473	1987-06-02	Richards et al.	
13	4696288	1987-09-29	Kuzmak et al.	
14	4705040	1987-11-10	Mueller et al.	
15	4723547	1988-02-09	Kullas et al.	
16	5112310	1992-05-12	Grobe	
17	5151086	1992-09-29	Duh et al	
18	5188104	1993-02-23	Wernicke et al	
19	5246456	1993-09-21	Wilkinson	

Receipt date: 11/17/2010

Application Number	10567199	10567199 - GAU: 3734
Filing Date	2006-08-14	
First Named Inventor	Augusto Brazzini	
Art Unit	3763	
Examiner Name	Unassigned	
Attorney Docket Number	EXPL-004	

20	5258015	1993-11-02	Li et al.	
21	5269809	1993-12-14	Hayhurst et al.	
22	5292344	1994-03-08	Douglas	
23	5423872	1995-06-13	Cigaina	
24	5496311	1996-03-05	Abele et al.	
25	5549621	1996-08-27	Bessier et al.	
26	5601604	1997-02-11	Vincent	
27	5634936	1997-08-03	Linden et al.	
28	5690681	1997-11-25	Chen et al.	
29	5888196	1999-03-30	Bonutti	
30	5931788	1999-08-03	Keen et al.	

Receipt date: 11/17/2010

Application Number	10567199	10567199 - GAU: 3734
Filing Date	2006-08-14	
First Named Inventor	Augusto Brazzini	
Art Unit	3763	
Examiner Name	Unassigned	
Attorney Docket Number	EXPL-004	

31	5951590	1999-09-14	Goldfarb	
32	5981440	1999-10-05	Schweich Jr. et al.	
33	6013053	2000-01-11	Bower et al.	
34	6067991	2000-05-30	Forsell	
35	6080160	2000-06-27	Chen et al.	
36	6097984	2000-08-01	Douglas	
37	6113609	2000-09-05	Adams	
38	6162234	2000-12-19	Freedland et al.	
39	6447533	2002-09-10	Adams	
40	6491707	2002-12-10	Makower et al.	
41	6535764	2003-03-18	Imran et al.	

Receipt date: 11/17/2010

Application Number	10567199	10567199 - GAU: 3734
Filing Date	2006-08-14	
First Named Inventor	Augusto Brazzini	
Art Unit	3763	
Examiner Name	Unassigned	
Attorney Docket Number	EXPL-004	

	42	6558400		2003-05-06	Deem et al.	
	43	6656182		2003-12-02	Hayhurst	
	44	6669713		2003-12-30	Adams	
	45	6755869		2004-06-29	Geitz	
	46	6746460		2004-08-08	Gannoe et al.	
	47	6908487		2005-06-21	Cigaina	
	48	6994715		2006-02-07	Gannoe et al.	
	49	7037344		2006-05-02	Kagan et al	
	50	7167750		2007-01-23	Knudson et al	
	51	7223277		2007-05-29	DeLegge	
	52	7416554		2008-08-26	Lam et al.	

Receipt date: 11/17/2010

Application Number	10567199	10567199 - GAU: 3734
Filing Date	2006-08-14	
First Named Inventor	Augusto Brazzini	
Art Unit	3763	
Examiner Name	Unassigned	
Attorney Docket Number	EXPL-004	

	53	7618426		2009-11-17	Ewers et al.	
	54	5445608		1995-08-29	Chen et al.	
	55	RE034021		1992-06-04	Mueller et al.	
	56	7666195		2010-02-23	Kelleher et al	

If you wish to add additional U.S. Patent citation information please click the Add button.

#### U.S.PATENT APPLICATION PUBLICATIONS

Examiner Initial*	Cite No	Publication Number	Kind Code <sup>1</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
1		20010010005		2001-07-26	Kammerer et al	
2		20010011543		2001-08-09	Forsell	
3		20020055757		2002-05-09	Flesler et al	
4		20020161414		2002-10-31	Flesler et al.	
5		20020188354		2002-12-12	Peghini et al.	

Receipt date: 11/17/2010

Application Number	10567199	10567199 - GAU: 3734
Filing Date	2006-08-14	
First Named Inventor	Augusto Brazzini	
Art Unit	3763	
Examiner Name	Unassigned	
Attorney Docket Number	EXPL-004	

6	20030055463	2003-03-20	Gordon et al.	
7	20030055465	2003-03-20	Ben-Haim et al.	
8	20030093117	2003-05-15	Saadat Vahid	
9	20030208212	2003-11-06	Cigaina	
10	20040006351	2004-01-08	Gannoe et al.	
11	20040024386	2004-02-05	Deem et al.	
12	20040054352	2004-03-18	Adams et al.	
13	20040059289	2004-03-25	Garza Alvarez	
14	20040068224	2004-04-08	Couvillon et al.	
15	20040092892	2004-05-13	Kagan et al	
16	20040097986	2004-05-20	Adams	

Receipt date: 11/17/2010

Application Number	10567199	10567199 - GAU: 3734
Filing Date	2006-08-14	
First Named Inventor	Augusto Brazzini	
Art Unit	3763	
Examiner Name	Unassigned	
Attorney Docket Number	EXPL-004	

17	20040098060		2004-05-20	Ternes David J.	
18	20040116949		2004-06-17	Ewers et al.	
19	20040122456		2004-06-24	Saadat et al.	
20	20040122473		2004-06-24	Ewers et al.	
21	20050022827		2005-02-03	Woo, et al.	

If you wish to add additional U.S. Published Application citation information please click the Add button.

**FOREIGN PATENT DOCUMENTS**

Examiner Initial*	Cite No	Foreign Document Number <sup>3</sup>	Country Code <sup>2</sup> <sup>j</sup>	Kind Code <sup>4</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>
1	WO 199825418				1999-05-27	Chan et al		<input type="checkbox"/>
2	WO 2002071951				2002-09-19	Garza Alvarez		<input type="checkbox"/>
3	WO 2003095015				2003-11-20	Alverdy		<input type="checkbox"/>
4	WO 2004004542				2004-01-15	Ganno et al		<input type="checkbox"/>

Receipt date: 11/17/2010

Application Number	10567199	10567199 - GAU: 3734
Filing Date	2006-08-14	
First Named Inventor	Augusto Brazzini	
Art Unit	3763	
Examiner Name	Unassigned	
Attorney Docket Number	EXPL-004	

5	WO 2004014237			2004-02-19	Gannoe et al.		<input type="checkbox"/>
6	WO 2004019785			2004-03-11	Gannoe et al.		<input type="checkbox"/>
7	WO 2004021894			2004-03-18	Kelleher et al.		<input type="checkbox"/>
8	WO 2005007232			2005-01-27	Ben et al		<input type="checkbox"/>

If you wish to add additional Foreign Patent Document citation information please click the Add button

**NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T5
	1	Trumbie et al., "Method for measuring long-term function of muscle-powered implants via radiotelemetry" J. Appl Physiol. 2001;90: pp. 1977-1985.	<input type="checkbox"/>
	2	Buchwald et al., "Evolution of Operative Procedures for the Management of Morbid Obesity 1950-2000", Obesity Surgery 2002, 12:705-717.	<input type="checkbox"/>
	3	Cummings et al., "Genetics and Pathophysiology of Human Obesity", An Annual Review of Medicine, 2003, 54:453-471.	<input type="checkbox"/>
	4	Johnston et al., "The MagenstJohnston et al., "The Magenstrasse and Mill Operation for Morbid Obesity". Obesity Surgery 2003, 13:10-16.	<input type="checkbox"/>
	5	Smith et al., "Modification of the Gastric Partitioning Operation for Morbid Obesity", Am. J. Surgery 142, Dec. 1981,pp 725-730.	<input type="checkbox"/>

Receipt date: 11/17/2010

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	10567199	10567199 - GAU: 3734
Filing Date	2006-08-14	
First Named Inventor	Augusto Brazzini	
Art Unit	3763	
Examiner Name	Unassigned	
Attorney Docket Number	EXPL-004	

6

Smith et al., "Results and Complications of Gastric Partitioning: Four Years Follow-Up of 300 Morbidly Obese Patients", The American Journal of Surgery, 1983, (146) pp. 815-819.

If you wish to add additional non-patent literature document citation information please click the Add button

**EXAMINER SIGNATURE**

Examiner Signature	/Michael Mendoza/	Date Considered	06/28/2011
--------------------	-------------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.USPTO.GOV](http://www.USPTO.GOV) or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST 1.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST 16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.